

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

NORTHEAST BANK, as the
successor in interest of Business
Lenders, LLC,

Plaintiff,

vs.

Case No. 3:20-cv-784-MMH-MCR

GINGERBREAD HOUSE LEARNING
CENTER, INC., DERVENT
RICHARDS, and MARIEKA N.
RICHARDS,

Defendants.

ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Dkt. No. 31; Report) entered by the Honorable Monte C. Richardson, United States Magistrate Judge, on June 29, 2021. In the Report, Judge Richardson recommends that Plaintiff's Motion for Final Summary Judgment (Dkt. No. 22) be denied without prejudice; Plaintiff's Motion for Extension of Time to Complete Court-Ordered Mediation (Dkt. No. 30) be granted to the extent the parties be directed to complete mediation within 60 days; and Plaintiff be directed to renew its motion for summary judgment against the appearing Defendants and file a motion for default judgment against the non-appearing Defendant in default within 21 days of the mediation if it is unsuccessful. See

Report at 6-7. No objections to the Report have been filed, and the time for doing so has passed. Thus, the Report is ripe for consideration by the Court.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at * 1 (M.D. Fla. May 14, 2007).

Upon independent review of the file, and for the reasons stated in the Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge as its opinion.


Accordingly, it is hereby

ORDERED:

1. The Report and Recommendation (Dkt. No. 31) is **ADOPTED** as the opinion of the Court.
2. Plaintiff’s Motion for Final Summary Judgment (Dkt. No. 22) is **DENIED without prejudice**.

3. Plaintiff's Motion for Extension of Time to Complete Court-Ordered Mediation (Dkt. No. 30) is **GRANTED** to the extent the parties are directed to complete mediation no later than **September 24, 2021**.
4. Within **twenty-one (21) days** of the mediation, if it is unsuccessful, Plaintiff shall file a renewed motion for summary judgment against the appearing Defendants.¹
5. In light of the procedural posture of the case, the Court strikes the case from the October 2021 trial term. In the event the contested matters in the case are not resolved at mediation, the Court will reset the case for trial upon the filing of a renewed motion for summary judgment against the appearing Defendants.

DONE AND ORDERED at Jacksonville, Florida, this 22nd day of July, 2021.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:
Counsel of Record
Pro Se Parties

¹ The Report recommended that Plaintiff also be given 21 days to file a motion for default judgment against the non-appearing Defendant in default. See Report at 7. However, Plaintiff filed a motion for default judgment against this Defendant on July 7, 2021. See Plaintiff's Motion for Entry of Final Default Judgment (Dkt. No. 32).